Miller & Rhoods

\$1.48 and \$1.98 Wash Skirts, Now

Linen-Pinished Cotton Skirts some with embroidered front panel—others trimmed with white braid, self folds or wide bands. Made with 7, 11

This lot includes a number of Peter Pan Blouses in all white lawn and madras. Others with long or short sleeves; trimmed with open work embroidery

C. B. Corsets, \$1.00 Values, for

50c and 69c Persian Ribbons for

All white-coutil covered-boned with steel.

Short hip and high bust for the slender figure—long hip and high bust for the stouter ones.

Ably Set Out-Confirmatory 200 Sheer Lawn Shirt Waists of the Verbal Statement. Former Prices \$1.19 and \$1.25, Now

The Supreme Court of Virginia, through Judge Whittle, yesterday handed down a formal written opinion confirmatory of the verbal one recently given sustaining the election of Colonel Joseph Button

commissized as such by the Governor, to qualify before them by taking the paths of office and executing bond as required

The commission had declined to permit the petitioner to qualify, entertaining the opinion that the provision in the act of March 6, 1906, for the election of the Commissioner of Insurance by the General Assembly, was in conflict with section 166 of the State Constitution and vold. The sole question, therefore, for our determination was the constitutionality of that act.

mentioned, maintaining that section 155 of the Constitution devolved the duty upon hem of appointing the Insurance Com

ginia-Tennassee Coal and Iron Company vs. McClelland, 98. Va., 424. (1986) 12. (1986) 12. (1986) 12. (1986) 12. (1986) 13. (1986) 13. (1986) 14 importance in constitutional ex Am. and Eng. Ency. of Law cases elted in note 9.

> The following decisions exemplify the general rule:
>
> "That this is the true construction of the Constitution is also shown by the contemporaneous exposition of it by the Legislature, which assembled immediately after its adoption, and organized the departments of government according to its provisions." Chahoon vs. Commonwealth, 21 Gratts 822, 827-823.
>
> "The construction placed on the Constitution of the State by the Legislature thereof is entitled to consideration, and in case of doubt, should be influential in its construction, but cannot be permit-The following decisions exemplify the

Well-Settled Distinction.

sence of constitutional authority it would be entirely within the competency of the General Assembly of Virginia to estab-ilsh and officer a Bureau of Insurance, and, in our opinion, there is nothing in the language of the Constitution which either expressly or by fair implication limits that power.

Language Is General.

Language Is General.

The language in question, which declares that the General Assembly may "establish within the department, and subject to the supervision and control c the commission, subordinate divisions or bureaus of insurance, banking, or other special branches of the business of that department," is general and attaches no limitation to the exercise of the power.

These propositions are axiomatic and the strike very foundation of our initiation. Investigation of the description of the constitution, the first of the control of the co

Negro Woman Was Unmercifully | Rev. E. L. Powell, of Kentucky, Beaten by a Negro

JAMES HARRIS IS MISSING

Left Home on Tuesday and Has Not Been Heard from Since. Personals and Briefs.

Manchester Bureau, Times-Dispatch,

after 10 o'clock unmercifully assaulte would have been severely dealt with had

when she did not say she was sorry that she had gone to the circus with the other man he knocked her down and then stamped her in the face with both

News Spread Rapidly.

There was no light or other sign, it was stated last night, to warn people of the danger in welking on the platform, though it would, in all probability, have borne any ordinary weight. Immediately, after the accident, however, the place was securely boarded up with two doors and planking laid crosswise on them, and a light was set in the middle to warn other passers-by of the danger.

The news of the accident spread rapidly, and in shorter time than it takes to tell it, a large, curious, anxious crowd had gathered on the scene.

There were many eager inquiries into the details of the affair, and as to the names of those who were hirt. Policeman Thurman went immediately to the home of Sergeant Wren to inform his wife said to tell her that he was in ne danger, and Policeman Belton rode, to

Dr. Garnett's Will.

Dr. T. N. darhett, one of the oldest physicians of the city, who died some weeks ago, was probated in the clerk's office of the Corporation Court yesterday. Mrs. Laura S. Garnett, the widow, quali-

Demand for Houses.

There is a great demand for houses in Manchester at this time, and the real estate men say that they could rent to more than three hundred tenants if they could find the houses. There are very few houses in the city, and the persons who own real estate are holding it for higher prices. Semmes Avenue is rapidly building up, and the men who own lots on this thoroughfare are holding them.

Personals and Briefs.

Alderman John Moore is in Milwaukee as a delegate from Stonewall Jackson Aerie of Eagles, of Manchester, Miss Mary Hyman, of Thirty-third Street, has returned after a trip to the heach.

heach.
After an illness of several weeks, Miss
Mary Reynolds, of No. 922 McDonough
Street, is much improved.
Mrs. A. N. Roberts, of East Tenth
Street, is visiting in Chattanooga, Tenn.
Mrs. T. W. Dukd is confined to her
home on West Fourteenth Street with
sickness.

ter Street, are visiting Miss Helen Lan caster, in Rocky Mount, N. C.

LANDS THREE GOOD ONES.

negro of nearly twice the avoirdupois. The young white man, who was a plumber, was seated on the rear snroking as set, when the negro entered. The black fellow immediately ordered a gentleman who was smoking to go to the front and was told to shut up. The negro then cast an insolent look at the young plumber. "What are you looking this way for?" inquired the plumber. "That's my business," blurted the negro then cast an insolent look at the rear snroking and the negro there is the negro than a standard the negro than a standard the negro three times in the face before his blackness knew what had happened. In the general mix-up the white man left the car at Sixth and Broad and the negro left at Seventh. It was reported that both were arrested, but no record of it could be found at the station houses.

York River V.

(Special to The Times Dispatch.)

OAKTREE, YORK CO. VA. August II.
A most enjoyable salling party was given yesterday on York River by Miss Wills Schenck, in honor of her guests, Miss Mary Schenck, Dlashouse, Mamile Johnson, of Louisa, and Miss Mary Goddin, of Diascund. During the day the party visited Gioucester Point and Page Rook Lighthouse. Those who went on this trip were Misses and Mary Goddin, of Diascund. During the day the party visited Gioucester Point and Page Rook Lighthouse. Those who went on this trip were Misses and Mary Goddin, of Diascund. During the day the party visited Gioucester Point and Page Rook Lighthouse. Those who went on this trip were Misses and Mary Goddin, of Diascund. During the day the party visited Gioucester Point and Page Rook Lighthouse. Those who went on this trip were Misses and Mary Goddin, of Diascund. During the day the party visited Gioucester Point and Page Rook Lighthouse. Those who went on this trip were Misses and Mary Goddin, of Diascund. During the day the party visited Gioucester Point and Page Rook Lighthouse. Those who went on this trip were Misses and Misses All Mamile Johnson, Mary Coddin, of Diascund. During the day the party visited Gioucester Po

Christian Church.

to Preach in Seventh-Street

REV. C. I. M'ELROY TO SPEAK Rev. James E. Cook to Preach

for Rev. Dr. Witherspoon at

the Grace-Street Church,

Dr. E. L. Powell, the eloquent pasto ville Ky, will preach Sunday at 11 A M. at Seventh Street Christian Church subject, "The Greatness of the Gospel." No services at night. There will be an attractive programme of music rendered

St. James's Methodist Church Sunday morning on "Our Boys," and at night on "St. James."

The Rev. W. A. Couper will preach at

Services at Fairmount Christian Church, morning and evening, will be conducted by the pastor. Subject of evening sermon. "Man, as He Was, Is and Shall be." Chest. n'on. "Man, as He Was, is and be." Christian Endeavor at 7 P. M.

Rev. R. L. Walton, of Ashland, Md. will preach at the First Presbyteriar Church to-morrow morning at 11 o'clock There will be no evening service.

"The Divine Ordering of the Steps of a Good Man," will be the subject of the morning sermion of Rev. L. B. Betty, of Park Place Church. There will be no

Rev. C. I. McElroy, of Columbus, Ga., formerly of Richmond and Bon Air, will preach for Rov. Russell Cecil to-morrow morning. Dr. McElroy has a great many warm personal friends in Richmond and Bon Air, and it is, hoped that many will be present to welcome him. The usual services will be conducted by the pastor, Rev. T. McNair Simpson, of Clay Street Methodist Church Sunday morning and night.

morning and night.

Rev. William Lunsford, D. D., of Asheville, N. C., will supply the pulpit of the First Baptist Church at both services, il A. M. and 8:15 P. M.

Dr. Witherspoon, pastor of Grace Street Presbyterian Church, being absent from the city, spending his vacation, his pulpit will be occupied to-mornow morning and night by the Rev. James E. Cook, who was at one time the popular pastor of the Old Market Church in this city.

Dr. Young will preach at both services at Centenary Church. His morning subject will be "Resolving and Doing." The evening subject, will be "Your Difficulties With the Bible, What Ought to be Done With Them?"

Rev. Dr. J. B. Taylor will preach to-morrow at Immanuel Baptist Church, Subject in morning, "Joseph of Arlma-thea." Theme at night, "The Lawyer's Question:

Rev. Dr. Jeter D. Dickerson, of Gads-den, Ala., will preach at Calvary Baptier Church to-morrow at both services.

ST. ALBANS NO MORE.

River View Memorial School.

Its New Owner Changes Name to

the opening of the school

Mr. Einstein, who has been heard in the pulpit of the Presbyterian Church here on several occasions, has created a very favorable impression, and the open-ing of the school is halled with satisfac-tion.

SAILING PARTY.

Merry Crowd Visit Points on the York River.

FIVE MEN PLUNGE NEWS GATHERED CITY SERVICES TO HOTEL CELLAR FROM SOUTHSIDE FOR TO-MORROW

MURPHY'S AREA, THROUGH WHICH FIVE MEN PLUNGED.

front by the bystanders. standing near in the hotel lobby, and immediately telephoned for the ambuimmediately telephoned for the amou-lance. Entrance to the cellar was made from the basement of the hotel, and Policemen Thurman and Belton and many citisens made their way to the men, and, after separating them and lifting them to their feet, brought them by way of the elevator to the lobby, and thence carried them upstairs. All the victims of the accident were suffering more or less and were carried

Very fortunately Dr. E. C. Fisher, who was formerly with the ambulance corps, happened to be in the hotel attending to a private patient, and immediately responded to the call for help. Drs. Hudgins and Mason, of the city ambu-

able to walk home. Mr. John Murthy Jr., ordered carriages, and the fou others, as soon as their segmes wer dressed, were driven to their variou

the State or National Constitution." Vir

News Spread Rapidly.

purpose would have been manifested in unequivocal terms.

The contention of the Commission is that they are clothed with the power of appointing the Commissioner of Insurance by the language: "The Commission shall annually elect one of their number chairman of the same, and shall have one clark, one bailify and such other clerks, officers, assistants and subordinates as may be provided by law, all of whom shall be appointed, and subject to removal by the commission."

The collocation of the foregoing provision with respect to the paragraph authorizing the establishment of a Bureau of Insurance tends to show that it was

But whether much or little weight be

ated if there are any of the lower spe-

This saems to be a universal rule of interpretation (Endlich on Interpretation of Statutes, sec. 412; Sutherland on Stat. Constr., sec. 277; City of Lynchburg v. N. & W. Ry. Co., 80 Va., 237, 250), and its application to the case in Judgment forbids that the general word "officer" shall be interpreted to include the head of a bureau, who is an officer of higher grade than those specifically enumerated in the constitutional provision.

We are not disposed to admit that the construction which we have placed on section 156 of the Constitution will materially impair the efficiency of the commission; but let the result be what it may the principles of law and sound public policy alike demand that we interpret the Constitution as we find it without undertaking to construe language of doubful import so as to enlarge the powers of one department of the government at the expense of another.

The court was actuated by these considerations in reaching the conclusion, heretofore announced, that the mandamus prayed for ought to be swarded.

All silk-4 1-2 to 6 inches wide-warp print, for sashes and girdles. Handsome designs; red, corn, lavender, white and black borders.

panels, lace insertion or tucks.

STILL DISCUSS THE BOND ISSUE

County Treasurer Hechler Thinks Custody Should Revert

HAS WRITTEN TO ATTORNEY

Has New Scheme to Get Good Roads for Henrico County. There is still much comment in and

has written the following letter monwealth's Attorney L. O. Wen-s, asking for the latter's legal on the matter:
"Office of the Treasurer,

"Once of the Ireasurer,
Aug. 17, 1966.
Mr. L. O. Wendenburg.
"Dear Sir.—As Commonwealth's Attorey for the county, we desire that you
ve us your opinion in regard to the \$50,one of the treasurer, but the board
links differently,
"We would be glad if you would rener your opinion in writing, and oblige,
"Yours truly, H. C. HECHLER."
Mr. Wendenburg, while he has not yet
elivered a legal opinion, seems tather
travor the possession of the fund by
osupervisors, and has so advised them.
by this course he says that the county
ould be saved about \$2,500 in commisons and interest.

and interest.
case is exciting more than usus

He thinks that the board of supervi has too much to do, to look properly af-ter the marter, and thinks that another

ter the marter, and thinks that another commission entirely separate and distinct should be appointed.

Mr. Hechier says that he knows of feur men that would be willing to take the job, and says that they would not demand excessive salaries.

Mayor John E. Hose is also in favor of this coheme, and it may be that something will come of it as there is generally any sufficient of the salaries.

will come of it, as there is generally ex-

pressed a desire for good roads through out the county. AT THE HOTELS.

People Who Are Registered at the Prominent Hostelries.

Prominent Hostelries,
The Richmond—C. B. Perrow, Lynchburg, Va.; T. P. Shelton, Amelia, Va.; H. E. Biddison, Baltinrore, Md.; E. C. McComb, Roanoke; Mrs. W. C. Harrison and Miss Myra Harrison, Emporia, Va.; H. M. White, Virginia; W. C. Lyle, Bedford City, Va.; M. Shaw, Frederickshurg, Va.
Murphys—J. D. Peebles, Emporia; Ed. C. Knapp, Jamestown; T. A. Lynch, Tagaewell: B. B. Baer, Baltimore; S. A. Douglas, Staunton, Va.; Mrs. J. M. Kennedy, Basic City, Va.; S. V. Southall, Virginia; T. R. Bickers, Culpeper, Va.; M. H. Collins, Newport News, Va.; J. M. Venable, Farmville, Va.; J. A. McLemore, East Radford, Va.
Lexington—R. H. Peaseley, Richmond; E. M. Warden, Salem, Va.; Arthur I. Lewis, Norfolk; K. R. Cobb, city; W. F. Pomrov, St. Louis: C. B. Riddick, city; George C. Wiles, city, J. J. Ewins, city, J. L. CARN, TO. USE, GUINS

LEARN TO USE GUNS.

Capt, Myers, of Howitzers, Re-

ports Profitable Week.

Captain William M. Myers, Lieutenant Minson and Lieutenant Rees, of the Richmond Howlizers, have returned from their week's encampment at Chickanauga Park, where they went to observe military tactics, and particularly the use and working of the new guns with which the Richmond battery has lately been supplied by the United States government.

Captain Myers speaks very highly of the manner in which he was treated, and the proportionity for observation given him while in Chickamauga. The week had afforded him much profit, and the prometation to the body which goes in on September 1st.

"Men's Life Problems." The young men's meetings at the Contral Young Men's Christian Association that Young Men's Christian Association have been exceedingly interesting and helpful, and the attendance has been unusually good for the hot weather. Tomorrow afternoon at \$30 o'doog there will be a continuation of "The Life Problems," the "Problems" to be discussed being "Poverty," by Mr. Frank W. Laughton, "Riches," by Mr. H. D. Coghill, "Friends," by Mr. K. C. Mooers, and "Enemies," by Mr. K. C. Mooers, There will be music on the fine new Victor o remain, the subject for the afternoon telm? "The Pharisee and the Publican." All young men, members and non-members of the association, are invited to hese meetings.

Grateful to the Papers.

Cobalt Works in Canada The proposed \$450,000 German-Canadian obalt smelter is to be established on the campakaning and Northern Ballway, adremissasses, vises Consul E. A. Wakefield, of Orima. It is stipulated that the German process to be used must be kept secret, and the experts to be Germans. The works will be started with the wet and dry processifiest, a concentrating plant to treat low-grade ores, then a cobalt oxide works, and lastly a reasting plant. In Germany fity-two per cent. of the world's production of cobalt oxide is used, and the German superintendent guarantees a market for 100,000 pounds annually.

Drank Kerosene Oil. A young son of Mr. Howard Saunders, of 114 North Seventh Street, swallowed about a quart of kerosene oll which his mother had in the house, and was about to die from the burniog and finnes of the dangerous liquid when Dr. Hudgins, of the city ambulance, who had been summoned, responded, and by the use of his stomach pump managed to bring the child around. The child soon recovered from the effects of the oil.

Almost Put Them Under.

Almost Put Them Under.
Fannie Boyd, a negro woman, was in
Police Court yesterday morning, charged
with being disorderly. She told "Ruitre
Lonnie Graves a story that come aimost
putting Clerk White and Sergeant Tailey
under the board. She talk of a life insurance policy, a billygoat, a steam engine and an apron, all in one breath.
"Take her away!" cried Lonnie the
Grave person, as he marked on the book
something about a commission of lunacy,

Mr. Lynch Qualifies.

Mr. Lynch Qualines,
Mr. Thomas A. Lynch, of Tazeweil,
whom Governor Swanson named to succeed Colonel Button as clerk of the Senate, qualified before Mr. C. Lee Moore
yesterday,
Mr. Lynch is thoroughly qualified for
the place, having been Colonel Button's
assistant for many years.

Uncle Everett in Trouble,

"Pop" Redford, the annal officer of the Second Police Station, has lost his hadge. The No. in 75, and he will be glad if the finder will return it to the first cop he sees. Mr. Redford was in Jackson Ward last night and the badge dropped from his coat. For Moral Influence.

LAW AND POLICY BOTH DEMAND IT

ture in Button Case in a Very Strong Opinion. WRITTEN BY JUDGE WHITTLE Law in the Case Is Clearly and

Supreme Court Sustains Legisla-

Islature.

The paper is a very able document, and will be widely read, especially by the legal profession. The case is one with which the public is well acquainted, and the opinion, which is printed in full below, speaks clearly for itself.

Here it is:

Joseph Button (1985)

Constitution Quoted.

of that act.

The provisions of article 12, section 155, of the Constitution, involved in this controversy; are as follows:

"The commission shall annually elect one of their members chairman of the same, and shall have one clerk, one ballin, and such other clerks, officers, because the control of the control of the same, and shall have one clerk, one ballin, and such other clerks, officers, and the control of the control

The Main Question.

of making laws is conferred on the General Assembly; some laws they are compelled by mandate to make; other laws they are forbidden to make; these are the only limits to their powers; all subjects of legislation not affected by mandate, nor by prohibition are within the discretion of the General Assembly." Commonwealth v. Drewry, Is Gratt, 1, 5.

It has also been held that "the Constitution of the United States is a source and grant of power to, the Congress of the United States. It is an enabling and not a restraining instrument, Congress not a restraining instrument. Congress can do nothing except what the Constitu-tion, either directly or by reasonable con-struction, authorizes it to do. The Con-stitution of Virginia, however, is a re-straining instrument, and the Legislature straining instrument, and the Legislature of the State possesses all legislative power not prohibited by the Constitution. Brown v. Epps. 91 Va. 728.

These propositions are axiomatic and lie at the very foundation of our institutions.

A General Rule Invoked.